



SC ‘turns away’ judges’ petition against 27th Amendment

• Justices Mohsin Akhtar Kayani, Babar Sattar, Sardar Ejaz Ishaq Khan and Saman Rifat Imtiaz wanted to file petition under Article 184(3) • Registry refuses to entertain plea, says SC original jurisdiction doesn’t exist anymore • Judges asked to approach new Federal Constitutional Court, the very institution assailed in their draft petition

By Malik Asad

ISLAMABAD: Four judges of the Islamabad High Court (IHC) — who wanted to challenge the recently introduced 27th Amendment — were turned away by the Supreme Court and told to approach the newly-formed Federal Constitutional Court (FCC), it emerged on Thursday.

The four judges — Justices Mohsin Akhtar Kayani, Babar Sattar, Sardar Ejaz Ishaq Khan and Saman Rifat Imtiaz — had drafted a petition invoking the original jurisdiction of the top court under Article 184(3), and sent a representation to the apex court’s registry branch.

However, sources said the petition was not entertained on the grounds that Article 184(3), which used to be an inherent power of the Supreme Court to enforce fundamental rights, has been omitted from the Constitution.

The petitioner judges did not personally visit the Supreme Court to either file the petition or undergo biometric verification, the sources added.

Insiders told *Dawn* that the four judges had decided to move the Supreme Court after months of raising concerns over what they described as an “incremental but systematic dismantling” of judicial independence, beginning with the 26th Amendment and culminating in the latest constitutional changes.

As they declined to accept the application, court officials reportedly communicated to the petitioners that the petition may not fall within the

Supreme Court’s jurisdiction because it relates to a constitutional amendment. The branch advised that the matter might require review under procedures dealing specifically with challenges to constitutional amendments.

However, the petitioners maintained that only the Supreme Court — not the newly-formed FCC — could adjudicate the legality of the amendment because its very existence depends on the amendment being upheld.

FCC CJ inspects new Record Room at IHC: Page 3

As per the draft petition, a forum created by the disputed amendment cannot “judge its own birth”, and the Supreme Court’s inherent power to interpret the Constitution cannot be ousted.

Draft petition

The draft petition, seen by *Dawn*, argues that the fresh amendment violated articles 9, 10A and 25 of the Constitution, which guarantee the rights to due process, fair trial and equal protection, by subordinating the judiciary to the executive.

It also said the tweaks restructured the constitutional scheme of separation of powers and altered the terms of service of sitting judges in violation of the Constitution.

Ironically, the very forum the judges were advised to approach, i.e. the FCC,

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JCP to pick superior court judges on Dec 2

By Nasir Iqbal

ISLAMABAD: The Judicial Commission of Pakistan (JCP) will hold its first meeting after the passage of the Constitution 27th Amendment and the establishment of the Federal Constitutional Court (FCC) on Dec 2, with a packed agenda.

The forum is expected to elevate a judge to the Supreme Court from the Islamabad High Court (IHC) as well as nominate the chief justices of the Sindh High Court (SHC) and the Balochistan High Court (BHC).

The meeting of the JCP will be convened at 2:30pm in the conference room of Islamabad’s SC building.

One of the agendas of the meeting is to consider appointment of a judge to the SC from the senior judges of the IHC. However, the names of the judges and their seniority position will be disclosed at a later stage.

SC strength

With the establishment of the FCC, where four judges from the Supreme Court — Justices Aminuddin Khan, Syed Hasan Azhar Rizvi, Aamer Farooq and Ali Baqar Najafi — have been appointed as well as the resignation of Justices Syed Mansoor Ali Shah

and Athar Minallah, the total strength of the SC has been reduced to 18 judges from the earlier 24.

Presided over by Chief Justice of Pakistan (CJP) Yahya Afridi, the JCP meeting will also be attended by FCC CJ Aminuddin Khan; Justices Munib Akhtar, Syed Hasan Azhar Rizvi and Aamer Farooq; Attorney General for Pakistan Mansoor Usman Awan; Law Minister Azam Nazeer Tarar; Pakistan Bar Council representative Ahsan Bhoon; Senators Farooq Hamid Naek and Syed Ali Zafar as well as MNAs Sheikh Aftab Ahmad and Gohar Ali Khan.

Likewise, the JCP during its meeting will also consider the appointment of SHC CJ from among the three senior-most judges of the high court.

Those who will be considered for the office are acting SHC Chief Justice Zafar Ahmed Rajput and Justices Muhammad Iqbal Kalohoro and Justice Mahmood A. Khan.

Similarly, the JCP will also consider for the appointment of the BHC chief justice from among the three senior-most judges of the high court.

They include acting BHC Chief Justice Muhammad Kamran Khan Mulakhai and Justices Iqbal Ahmed

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(CLOCKWISE from top left) Emergency crews battle a fire that broke out at a pavilion inside the venue of the COP30 UN Climate Change Conference in Belem, Brazil; a worker carrying a fire extinguisher runs towards the blaze; and, people are evacuated from the venue. The blaze prompted a suspension of the day’s activities at the summit, and even though fire crews declared the inferno had been brought under control on Thursday, it was unclear whether delegates would return immediately to continue negotiations.—AFP Report on Page 11

Govt agrees on asset declaration reforms to combat corruption

• IMF highlights need for risk-based asset verification • Says NAB’s ‘political compromise’ hindering anti-corruption efforts • Seeks autonomous oversight body to audit internal control processes

By Khaleeq Kiani

ISLAMABAD: With the International Monetary Fund (IMF) describing the country’s top anti-corruption agency, the National Accountability Bureau (NAB), as a “political compromise”, the government has agreed to the publication of asset declarations of high-level public officials in 2026 and their risk-based verification to improve the country’s accountability and integrity standards against widespread corruption.

According to IMF’s Governance and Corruption Diagnostic Assessment (GCDA), released by the Ministry of Finance as a structural benchmark of the ongoing \$7 billion loan programme, the two sides have agreed under a short-

term action plan to “strengthen accountability and integrity among high-level federal civil servants by initiating the publication of asset declarations in 2026, and introduce risk-based verification of asset declarations”.

Governance failure: Editorial on Page 6

In the longer term, the two sides agreed to “consider establishing a centralised authority to collect, digitise and publish asset declarations of high-level public officials with adequate powers and resources to conduct risk-based verification”, a vision that may remain elusive given the expiry of the IMF programme.

The lender also required the gov-

ernment in the medium term to enhance NAB’s independence and effectiveness in investigating high-level corruption by strengthening appointment procedures of its head, enhancing investigative capacities and establishing robust internal accountability.

The report noted with concern that disciplinary actions related to corruption in the government machinery, particularly senior revenue officials, were inadequate. Their investigative powers were limited to conducting interviews and checking asset declarations.

“Penalties imposed can range from minor (e.g. withholding a promotion) to major (e.g. dismissal from service), but do not include a proposal for criminal prosecution”

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MQM-Pakistan to push for more provinces thru 28th Amendment

Threatens protests if party doesn’t get justice from parliament, courts

By Imran Ayub

KARACHI: Already pursuing its proposed constitutional amendment aimed at empowering local governments, the Muttahida Qaumi Movement-Pakistan (MQM-P) on Thursday hinted at raising another demand — creation of provinces — in parliament, vowing that the party would use every legal and democratic channel to make it happen.

Flanked by Sindh Governor Kamran Khan Tessori at a press conference, the top leadership of the key coalition partner of the PM Shehbaz government raised the issues regarding new provinces and local governments, stressing that

they are fundamental components of the Constitution and failure to implement these provisions amounted to “treason”.

“A constitutional article demands the formation of new provinces when population growth and needs increase,” said MQM-P Convenor and federal Education Minister Dr Khalid Maqbool Siddiqui. “It is not just about authority; it is a requirement for the creation of new districts, divisions and provinces, as per Article 239.”

Dr Siddiqui also questioned whether acting on a constitutional article could amount to treachery, instead stating that not acting through and implementing it would be a “betrayal”.

“This right of creating provinces in the Constitution is there since the time of former prime minister Zulfikar Ali Bhutto,” he added.

“For true implementation of Article 140-A, we moved to the court and fought for a stronger

local government system, which is the key tier of any democratic system,” said Dr Siddiqui.

“We would continue to fight for our demand. There is a lot of hue and cry over two of our demands (a stronger local government system and the creation of provinces), and both of them are written in the Constitution. But let me be very clear: if we don’t get justice from parliament and courts, we will take this to the streets,” he stressed.

Earlier this week, MQM-P had claimed that its proposed constitutional amendment, aimed at empowering local governments, would now be advanced as the 28th Amendment. The party described it as a “national, not merely Karachi-centric” reform initiative, which it said would be realised in the coming months.

Now, it appears the party plans

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Pakistan extends airspace ban for Indian aircraft

By Mohammad Asghar

RAWALPINDI: The Pakistan Airports Authority (PAA) has extended the airspace restrictions on Indian aircraft for another month, till December 24.

The new ban for Indian aircraft has been notified just four days before a previous one is set to expire, according to a notice to airmen (Notam) issued on Wednesday. The latest restriction went into effect from 2:50pm Pakistan time on November 19 to 4:59am on December 24, the notice said.

The ban will apply to all India-registered aircraft as well as any aircraft operated, owned, or leased by Indian airlines or operators, including military flights. The airspace closure applies from ground level up to unlimited altitude.

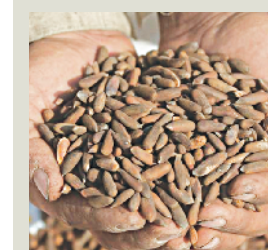
India and Pakistan have closed their airspaces to each other’s airlines since tensions between them escalated in April in the wake of an attack in occupied Kashmir’s Pahalgalam that killed 26 people. Last month, Islamabad extended the airspace ban till November 24.

Pakistan’s airspace is divided into two flight information regions (FIRs) — Karachi and Lahore, according to a Pakistan Civil Aviation Authority (PCAA) document from 2022. The Notam applies to both the Karachi (OPKR) and Lahore (OPLR) FIRs.

On April 24, in response to India’s decision to suspend the Indus Waters Treaty after the Pahalgalam attack, Pakistan had

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ON OTHER PAGES



Chilgoza price takes a nosedive

The price of chilgoza (pine nuts) in Lower South Waziristan has dropped sharply, falling from last year’s Rs10,000 per kilogram to Rs3,000. Commission agents attribute the decline to an unusually high harvest, reduced international demand and alleged harassment of pine nut traders by customs and police officials in Lahore, Rawalpindi and other major cities. **Page 4**



PM orders speedy PIA privatisation

Prime Minister Shehbaz Sharif directed the authorities concerned on Thursday to expedite and complete all phases of the privatisation of Pakistan International Airlines with complete transparency. Chairing a meeting to review the privatisation status of PIA, the premier emphasised the need to develop a clear strategy to increase the number of airworthy aircraft in its fleet. **Page 9**

UN body sounds alarm over ‘serious’ TTP threat

Chair of ISIL and Al Qaeda Sanctions Committee says terror group enjoys backing of de facto Afghan authorities

By Our Correspondent

WASHINGTON: The banned Tehreek-i-Taliban Pakistan (TTP) posed a “serious threat” in Central and South Asia and has been receiving “logistical and substantial support from the de facto (Afghan) authorities”, Denmark told the United Nations, as more voices are now backing Pakistan’s long-standing



DENMARK’S Deputy Permanent Representative to UN, Sandra Jensen Landi, addresses the ISIL and Al Qaeda Sanctions Committee.—Courtesy UN WebTV website

stance on the issue.

The warning was issued during a briefing at the UN Security Council in New York

on Wednesday, where Denmark, in its role as chair of the ISIL (Daesh) and Al Qaeda Sanctions Committee, pointed

to the role of Afghanistan in harbouring TTP militants and facilitating their operations.

The presence of TTP militants in Afghanistan has long been a point of contention between Islamabad and the Taliban administration. Since the Taliban’s return to power in Kabul in 2021, Pakistan has accused the group of sheltering thousands of TTP fighters, who have escalated attacks on Pakistani security forces, particularly in Khyber Pakhtunkhwa and Balochistan.

Denmark’s Deputy Permanent Representative to the UN Sandra Jensen Landi told the UNSC meeting that the TTP, “with its approximately 6,000 fighters, is another serious threat emanating from the region, receiving both logistical and substantial support

from the de facto authorities”.

“The TTP has conducted numerous high-profile attacks in Pakistan from Afghan soil, some of which incurred mass casualties,” she added.

Ms Landi also gave an overview of the evolving terrorist threat posed by Daesh, Al Qaeda and their affiliates, drawing on the latest assessments of the Analytical Support and Sanctions Monitoring Team.

“The threat posed by ISIL (Daesh), Al Qaeda and their affiliates remains dynamic and geographically diverse, with the highest intensity observed in Africa. ISIL, Al Qaeda and their affiliates continue to step up their propaganda, exploiting social media platforms to glorify violence, recruit youth and raise

funds. Their continued use of cryptocurrencies poses a growing challenge to sanctions implementation,” she said.

Ms Landi said that after losses in the Middle East, Daesh had “pivoted towards Africa, where affiliates such as the Islamic State West Africa Province (ISWAP) have expanded activities and propaganda”.

“ISIL-Khorasan (ISIL-K) is one of the most serious threats in Central and South Asia, with at least 2,000 fighters under Sanaullah Ghafari. They continue to target Shia communities, de facto Afghan authorities and foreign nationals,” she said.

“Across regions, foreign

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